

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a variance from Section 405.1b to permit minimum side and rear yards for structures (garage and cold storage) to be 2 feet and 15 feet in lieu of 50 feet; 12 feet in lieu of 100 feet and 41 feet in lieu of 100 feet between structures.

Use is existing and variances are being filed for as a result of alleged zoning violation.

Also, other reasons to be developed at time of hearing.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

Legal Owner(s):

Theresa M. Berk

(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:

William E. Hammond

(Type or Print Name)

Signature

Address

City and State

102 Main Street

Address

Reisterstown, Maryland 21136

City and State

Attorney's Telephone No. 833-1322

Address

Phone No.

ORDERED BY The Zoning Commissioner of Baltimore County, this 19th day

of February, 1985, that the subject matter of this petition be advertised, as

required by the Zoning Law of Baltimore County, in two newspapers of general circulation through-

out Baltimore County, that property be posted, and that the public hearing be held before the Zoning

Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore

County, on the 26th day of March, 1985, at 11:00 o'clock

and the 26th day of March, 1985, at 11:00 o'clock

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BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

April 25, 1985

William E. Hammond, Esquire
107 Main Street
Reisterstown, MD 21136

RE: PETITION FOR VARIANCES
NE side of Camp Chapel Rd.,
653' NW from centerline
of Belair Road
(4350 Camp Chapel Road)
11th Election District
Louis W. Berk - Petitioners
No. 85-266-A

Dear Mr. Hammond:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,

JEAN M. H. JUNG
Deputy Zoning Commissioner

JMHJ:bg

Attachments

cc: People's Counsel

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

February 7, 1985

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Nicholas B. Commodari
Chairman

MEMBERS

Bureau of Engineering

Department of Traffic Engineering

State Roads Commission

Bureau of Fire Prevention

Health Department

Project Planning

Building Department

Board of Education

Zoning Administration

Industrial Development

William E. Hammond, Esquire
107 Main Street
Reisterstown, Maryland 21136

RE: Item No. 203
Louis W. Berk, et ux
Variance Petition

Dear Mr. Hammond:

I have reviewed the above referenced petition and have determined that I must discuss this matter with you. Until I hear from you, the petition will not be scheduled for a hearing.

In view of this, please contact me at 494-3391 as soon as possible.

Very truly yours,

Nicholas B. Commodari
Chairman
Zoning Plans Advisory Committee

NBC:bsc

Enclosures

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

March 18, 1985

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Nicholas B. Commodari
Chairman

MEMBERS

Bureau of Engineering

Department of Traffic Engineering

State Roads Commission

Bureau of Fire Prevention

Health Department

Project Planning

Building Department

Board of Education

Zoning Administration

Industrial Development

William E. Hammond, Esquire
107 Main Street
Reisterstown, Maryland 21136

RE: Item No. 203 - Case No. 85-266-A
Petitioner - Louis W. Berk, et ux
Variance Petition

Dear Mr. Hammond:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plan that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

In view of your clients' proposal to legalize the setbacks of the existing buildings, these variances are required.

As you are aware this hearing originated as a result of a zoning complaint (C-85-496), which is being withheld further processing pending the outcome of this hearing.

After a review of Section 404.1a. and c. of the zoning regulations and conversations with you, you determined that your clients' operation was not in violation of these sections. These matters should be fully discussed at the scheduled hearing.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

Nicholas B. Commodari
Chairman
Zoning Plans Advisory Committee

NBC:bsc
Enclosures



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-3353

NORMAN E. GERBER
DIRECTOR

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Zoning Advisory Meeting of 1/24/85
Item # 203
Property Owner: Louis W. Berk, et ux
Location: 4350 Camp Chapel Rd.
NW of Belair Rd.

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable:

- ☒ There are no site planning factors requiring comment.
- ☒ A County Review Group Meeting is required.
- ☒ A County Review Group meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- ☒ This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- ☒ A record plat will be required and must be recorded prior to issuance of a building permit.
- ☒ The access is not satisfactory.
- ☒ The circulation on this site is not satisfactory.
- ☒ The parking arrangement is not satisfactory.
- ☒ Parking calculations must be shown on the plan.
- ☒ This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- ☒ Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-99 of the Development Regulations.
- ☒ Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- ☒ The amended level spread Plan was approved by the Planning Board on 1/24/85.
- ☒ Landscaping: Must comply with Baltimore County Landscape Manual. The property is located in a deficient service area as defined by 8111-178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is:
- ☒ The property is located in a traffic area controlled by a "D" level intersection as defined by 8111-178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.
- ☒ Additional comments:

cc: James Howell

Eugene A. Bober
Chief, Current Planning and Development

BALTIMORE COUNTY DEPARTMENT OF HEALTH

Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Zoning Item # 203, Zoning Advisory Committee Meeting of Jan 29, 85

Property Owner: Louis W. Berk, et ux

Location: 4350 Camp Rd District 11

Water Supply: public Sewage Disposal: septic system

COMMENTS ARE AS FOLLOWS:

- ☒ Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Environmental Support Services, for final review and approval.
- ☒ Prior to new installation/s of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 494-3775, to obtain requirements for such installation/s before work begins.
- ☒ A permit to construct from the Division of Air Pollution Control is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- ☒ A permit to construct from the Division of Air Pollution Control is required for any charcoal burner operation which has a total cooking surface area of five (5) square feet or more.
- ☒ Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- ☒ Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appurtenances pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Health for review and approval. For more complete information, contact the Recreational Hygiene Section, Division of Environmental Support Services.
- ☒ Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
- ☒ If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with Water Resources Administration requirements.

SS 20 1082 (1)

Zoning Item # 203 Zoning Advisory Committee Meeting of Jan 29, 85
Page 2

- ☒ Prior to raising of existing structure/s, petitioner must contact the Division of Water Quality and Waste Management at 494-3768, regarding removal and/or disposal of potentially hazardous materials and solid wastes.
- ☒ Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and either be removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Water Quality and Waste Management at 494-3768.
- ☒ Soil percolation tests (have been/must be) conducted.
 - ☒ The results are valid until _____.
 - ☒ Soil percolation test results have expired. Petitioner should contact the Division of Environmental Support Services to determine whether additional tests are required.
- ☒ Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.
- ☒ In accordance with Section 13-117 of the Baltimore County Code, the water well yield test
 - ☒ shall be valid until _____.
 - ☒ is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.
- ☒ Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- ☒ If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted.
- ☒ Others: The sewage disposal system serving this site is failing at the surface. A complaint has been filed with the Northeast Environmental Services, phone 494-3745. Due to the nature of the facility, the owner should contact this office regarding correcting the failing system. This office can be reached at 494-3742.

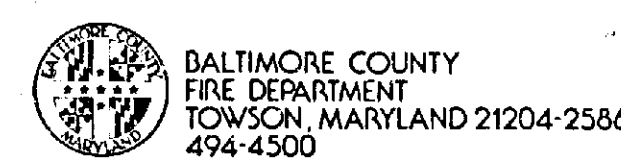
Jan J. Forrester, Director
BUREAU OF ENVIRONMENTAL SERVICES

SS 20 1283 (2) A

AUG 29 1985

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would/would not result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will/will not adversely affect the health, safety, and general welfare of the community, the variance(s) should/should not be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the herein Petition for Variance(s) to permit



PAUL H. REINCKE
CHIEF
Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

February 3, 1985

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Louis W. Berk, et ux

Location: NE/S Camp Chapel Road 653' N/W from c/l Belair Road

Item No.: 203 Zoning Agenda: Meeting of 1/29/85

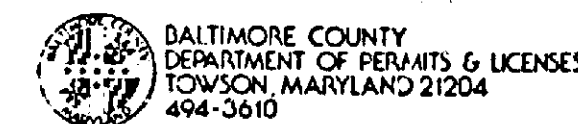
Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWED: *[Signature]* Noted and Approved: *[Signature]*
Planning Group Fire Prevention Bureau
Special Inspection Division

/mb



ED JALSKI, JR.
DIRECTOR
Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

February 19, 1985

Dear Mr. Jablon:

Comments on Item # 203 Zoning Advisory Committee Meeting are as follows:

Property Owner: Louis W. Berk, et ux
Location: NE/S Camp Chapel Road 653' N/W from c/l Belair Road
Existing Zoning: D.R. 5-3
Proposed Zoning: Variance to permit a side and rear yard setback of 2' and 15' in lieu of the required 50', 12' in lieu of the required 100' and 11' in lieu of the required 100' between structures (garage and cold frames).
Acres: 115/115 x 352.8/353.9
District: 11th

The items checked below are applicable:

- (A) All structures shall conform to the Baltimore County Building Code 1981/Council Bill 1-82 State of Maryland Code for the Handicapped and Aged and other applicable Codes.
- (B) A building/ & other / permit shall be required before beginning construction.
- C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/is not required. Non-reproduced seals and signatures are required on Plans and Technical Sets.
- D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.
- E. An exterior wall erected within 6'0" for Commercial use or 3'0" for One & Two Family use group of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'0" of lot lines. A fire wall is required if construction is on the lot line, see Table 101, line 2, Section 1107 and Table 1402, also Section 503.2.
- F. Requested variance appears to conflict with the Baltimore County Building Code, Section ____.
- G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.
- H. We're this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that, the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 505 and the required construction classification of Table 101.
- (I) Comments - This appears to be preparation for a commercial operation. The garage, it appears will become part of that operation and should have a change of use from Residential R-3 to an S-1 moderate hazard storage building. Any Wood construction should be 6'-0" from an interior lot line. A permit shall be required for any construction which a permit has not been issued.

NOTE: These comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, additional information may be obtained by visiting Room 122 (Plans Review) at 111 W. Chesapeake Ave., Towson.

Very truly yours,

[Signature]
Charles E. Burnham, Chief
Plans Review

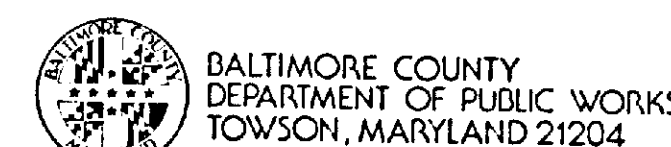
ORDER RECEIVED FOR FILING
DATE *April 25, 1985*
BY *[Signature]*

RE: PETITION FOR VARIANCES * BEFORE THE
NE side of Camp Chapel Rd., * DEPUTY ZONING COMMISSIONER
653' NW from centerline *
of Belair Road *
(4350 Camp Chapel Road) * OF BALTIMORE COUNTY
11th Election District *
Louis W. Berk, et ux - * Case No. 85-266-A
Petitioners *

The Petitioners herein request variances to permit side and rear yard setbacks for structures (garage/storage and cold frames) of 2 feet and 15 feet in lieu of 50 feet and to permit distances between structures of 12 feet and 41 feet in lieu of 100 feet.

Testimony by and on behalf of the Petitioners indicates the property consists of .93 acres of residentially zoned land improved by a house and a garage with an attached shop located in the front portion. The rear portion has been utilized as a limited-acreage wholesale flower farm since 1951. This portion contains a 96' x 97' crystal ball cold frame (installed approximately in 1951), a 96' x 20' crystal ball cold frame (installed approximately in 1978) and a 28' x 36' garage/storage/shop (built in 1983 without a permit). No loading or unloading takes place on site, instead, such activities occur on an adjacent property owned by the Petitioners' son who has managed the business for the last 12 years. Denial of the variances would put the Petitioners out of business.

There were no Protestants. After due consideration of the testimony and evidence presented, and it appearing that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioners, the variances are granted.



HARRY I. PISTEL, P.E.
DIRECTOR

March 28, 1985

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item # 203 (1984-1985)
Property Owner: Louis W. Berk, et ux
N/ES Camp Chapel Rd. 653' N/W from centerline Belair Rd.
Acres: 115/115 x 352.8/353.9
District: 11th

Dear Mr. Jablon:

The following comments are furnished in regard to the subject zoning item:

General Comments:

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Very truly yours,

[Signature]
JAMES A. MARKLE, P.E., Chief
Bureau of Public Services

JAM:EM:PMO:ss

3/26
85-266-A

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner _____ Date: March 20, 1985
Norman E. Gerber, Director
FROM: Office of Planning & Zoning _____
SUBJECT: Zoning Petition No. 85-266-A

This office does not support the granting of this petition, particularly in view of the magnitude of the variances requested.

NEG:JCH:sm

[Signature]
Norman E. Gerber, Director
Office of Planning & Zoning

RE: PETITION FOR VARIANCES * BEFORE THE
NE side of Camp Chapel Rd., * DEPUTY ZONING COMMISSIONER
653' NW from centerline *
of Belair Road *
(4350 Camp Chapel Road) * OF BALTIMORE COUNTY
11th Election District *
Louis W. Berk, et ux - * Case No. 85-266-A
Petitioners *

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There were no Protestants. After due consideration of the testimony and evidence presented, and it appearing that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioners, the variances are granted.

ORDER RECEIVED FOR FILING

DATE *April 25, 1985*
BY *[Signature]*

[Signature]
Deputy Zoning Commissioner
of Baltimore County

able hardship upon the Petitioners; and the granting of the requested variance not adversely affecting the health, safety, and general welfare of the community, in the opinion of the Deputy Zoning Commissioner, the variances should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 25th day of April, 1985, that the Petition for Variances to permit side and rear yard setbacks for structures of 2 feet and 15 feet in lieu of the required 50 feet and to permit distances between structures of 12 feet and 41 feet in lieu of the required 100 feet, in accordance with the site plan submitted and filed herein, marked Petitioners' Exhibit 1, is GRANTED, from and after the date of this Order, subject to the following:

1. At any such time as the existing cold frames and/or garage/storage building are replaced, 25-foot-minimum side and rear yard setbacks shall be established.
2. Obtain a building permit for the garage/storage building located on the rear portion of the property and meet all requirements of the Baltimore County Building Code. Permanently close any access to the building adjacent to the 16 foot roadway.
3. There shall be no retail sales from the site.

John M. H. Jones
Deputy Zoning Commissioner
of Baltimore County

Zoning Description

Beginning on the northeast side of Camp Chapel Road 653 feet northwest from the centerline of Joppa Road. Then the four following courses and distances:

1. N. 42° 45' W. 115.00 ft.
2. N. 50° 15' E. 352.85 ft.
3. S. 43° 05' E. 115.0 ft.
4. S. 50° 15' W. 353.9 ft. to the place of beginning. Also known as 4350 Camp Chapel Road.

good and valuable considerations, the receipt whereof is hereby acknowledged, the said JOSEPH ELLER and RUTH ELLER, his wife

Grantors do hereby grant and convey unto the said DONALD D. PAYTON and THERESA A. PAYTON, his wife, as tenants by the entireties, their assigns, the survivor of them and the heirs and assigns of such survivor

in fee simple, all those lots of ground situate, lying and being in Baltimore County, and described as follows, that is to say:

BEGINNING FOR THE FIRST at a stake in the first line of the land which by a Deed dated May 21, 1940 and recorded among the Land Records of Baltimore County in Liber C.W.B. Jr. No. 1107 folio 56 was conveyed by Mary Louise Gran to Charles B. Polese and wife said place of beginning being at the distance of 353.5 feet North 50 degrees 15 minutes East from the intersection of the aforesaid first line with the Northeasternmost side of Camp Chapel Road 33 feet wide and running thence from the aforesaid place of beginning and bounding on the aforesaid first line North 50 degrees 15 minutes East 865.4 feet to the Northeasternmost outline of the whole tract conveyed by Mary Louise Gran to Charles B. Polese and wife thence bounding on said Northeasternmost outline North 43 degrees 5 minutes West 361 feet thence running for lines of division now made the two following courses and distances, viz: South 50 degrees 15 minutes West 865.4 feet and South 43 degrees 5 minutes West 361 feet to the place of beginning. Subject however to the right of way of the United States of America for a transmission line as at present constructed said right of way being 66 feet in width measured at right angles to the center line thereof. Containing exclusive of the aforesaid right of way 6.36 acres of land more or less.

BEGINNING FOR THE SECOND at a stake in the first line of the land which by a Deed dated May 21, 1940 and recorded among the Land Records of Baltimore County in Liber C.W.B. Jr. No. 1107 folio 56 was conveyed by Mary Louise Gran to Charles B. Polese and wife said place of beginning, being also at the beginning point of the 6.36 acres more or less tract of land heretofore conveyed by the said Charles B. Polese and wife unto Lawrence O. Maenner and Bertha C. Hammel and running thence and binding reversely on the aforesaid first line in the herebefore mentioned Deed from Gran to Polese and wife South 50 degrees 15 minutes West 353.5 feet to the Northeasternmost side of Camp Chapel Road and running thence and binding on the Northeasternmost side

PETITIONER'S EXHIBIT 3

RE: PETITION FOR VARIANCES : BEFORE THE ZONING COMMISSIONER
NE/S Camp Chapel Rd., 653' : OF BALTIMORE COUNTY
NW from the Centerline of :
Belair Rd. (4350 Camp : Case No. 85-266-A
Chapel Rd.), 11th District

LOUIS W. BERK, et ux,
Petitioners

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Rm. 223, Court House
Towson, MD 21204
494-2188

I HEREBY CERTIFY that on this 6th day of March, 1985, a copy of the foregoing Entry of Appearance was mailed to William E. Hammond, Esquire, 107 Main Street, Reisterstown, MD 21136, Attorney for Petitioner.

Peter Max Zimmerman
Peter Max Zimmerman

LIBER 4616 PAGE 425

of Camp Chapel Road 16 feet more or less to the Northwestmost side of a 76 foot right of way there situate and running thence parallel to and distant northwesterly 16 feet more or less from the first line in this description North 50 degrees 15 minutes East 353.5 feet more or less to intersect the South 43 degrees 5 minutes East 361 foot line of the lot of ground heretofore conveyed by the said Polese and wife to Lawrence O. Maenner et al and running thence and binding on said line South 43 degrees 5 minutes East 16 feet more or less to the place of beginning.

BEING the same lots of ground and premises which by Deed dated July 23, 1937 and recorded among the Land Records of Baltimore County in Liber G.L.B. No. 3199 folio 491 were granted and conveyed by Lawrence O. Maenner, et al to Joseph Eller and Ruth Eller, his wife.

SUBJECT, HOWEVER, to the right of the other use of secondly described lot which is a 16 foot lot to be used as a right of way.

LIBER 4616 PAGE 426

TOGETHER with the buildings and improvements thereupon erected, made or being, and all and every the rights, alleys, ways, waters, privileges, appurtenances and advantages, to the same belonging, or anywise appertaining.

TO HAVE AND TO HOLD the said lot of ground and premises, above described and mentioned, and hereby intended to be conveyed; together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining, unto and to the proper use and benefit of the said

DONALD D. PAYTON and THERESA A. PAYTON, as tenants by the entireties, their assigns, the survivor of them and the heirs and assigns of such survivor

in fee simple.

AND the said parties of the first part hereby covenant that they have not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that they will warrant specially the property granted; and that they will execute such further assurances of the same as may be requisite.

WITNESS the Hands and Seals of the said Grantors.

TEST:

Katherine F. Schultz (SEAL)
Katherine F. Schultz
Joseph Eller (SEAL)
Joseph Eller
Ruth Eller (SEAL)
Ruth Eller

"DUPLICATE" CERTIFICATE OF PUBLICATION

TOWSON, MD, March 7, 1985

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on March 7, 1985.

85-266-A
THE JEFFERSONIAN,

W. Kentz
Publisher

Cost of Advertising

\$16.00

PETITION FOR VARIANCES

11th Election District

LOCATION: Northeast side of Camp Chapel Road, 653 ft. Northwest from the centerline of Belair Road (4350 Camp Chapel Road)

DATE AND TIME: Tuesday, March 26, 1985 at 11:00 A.M.

PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variances to permit minimum side and rear yards for structures (garage and cold frames) to be 2 ft. and 15 ft. in lieu of 50 ft., 12 ft. in lieu of 100 ft. and 41 ft. in lieu of 100 ft. between structures

Being the property of Louis W. Berk, et ux as shown on the plat filed with the Zoning Office.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

March 21, 1985

William E. Hammond, Esquire
107 Main Street
Reisterstown, Maryland 21136

RE: Petition for Variance
NE/S Camp Chapel Rd., 653' NW from the
C/L of Belair Rd. (4350 Camp Chapel Road)
Louis W. Berk, et ux - Petitioners
Case no. 85-266-A

Dear Mr. Hammond:

This is to advise you that \$44.15 is due for advertising and posting of the above property.

This fee must be paid and our zoning sign and post returned on the day of the hearing before an Order is issued. Do not remove sign until day of hearing.

Please make the check payable to Baltimore County, Maryland, and remit to Mrs. Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Sincerely,

BALTIMORE COUNTY, MARYLAND No. 005365
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE: March 26, 1985 ACCOUNT: 85-266-A

AMOUNT: \$44.15

RECEIVED FROM: William E. Hammond

FOR: Advertising & Posting

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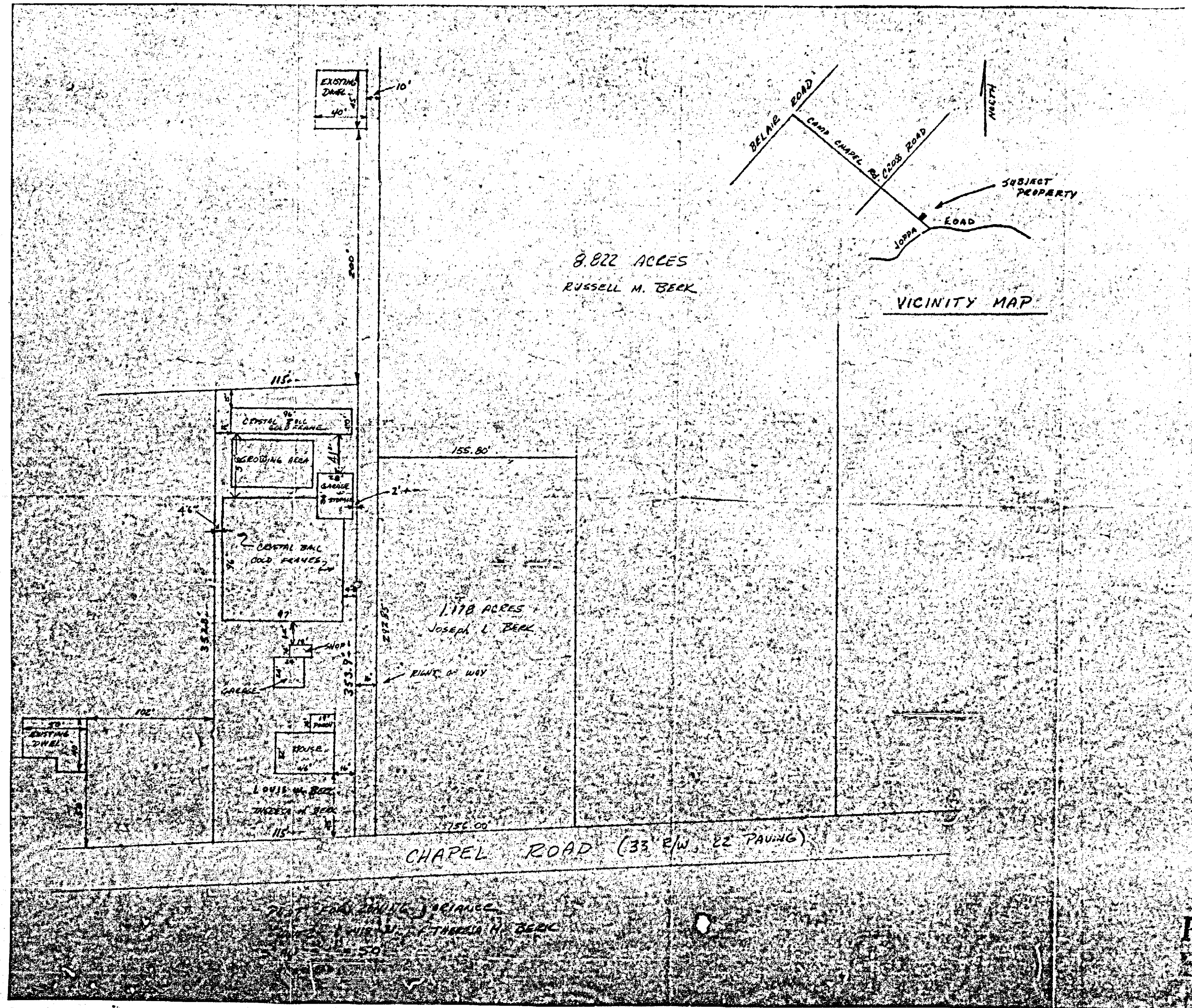
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AUG 29 1985



copy

PETITIONER'S
EXHIBIT 1